

RCE/2814

#16 RCE
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**REQUEST FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/688,989

Filing Date: October 17, 2000

First Named Inventor: Yoshitaka Tsunashima

Group Art Unit: 2814

Examiner: S. Rao

Attorney Docket Number: 04329.1952-01000

Attorney Customer Number: 22,852

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114:

a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply after final under 37 C.F.R. § 1.116 previously filed on _____.
- ii. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on _____.
- iii. ☐ Other _____

b. ☒ Enclosed:

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement
- iv. ☐ Other _____

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2. Miscellaneous

- a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. ☐ Other _____

3. Fees

a. ☒ The filing fee is calculated as follows:

04/10/2003 CV0111 00000026 09688989

- i. ☒ \$750.00 RCE fee required under 37 C.F.R. § 1.17(e) FC:1801 750.00 OP
- ii. ☒ Request for extension of time for (Two Months) \$410.00
- iii. ☐ Other _____

b. ☐ Check in the amount of \$1160.00 enclosed.

c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

Signature of Applicant, Attorney, or Agent Required

Name: Bryan S. Latham

Reg. No.: 49,085

Signature:

Date: April 8, 2003

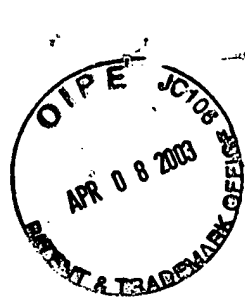
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PATENT
Customer No. 22,852
Attorney Docket No. 04329.1952-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Yoshitaka Tsunashima et al.) Group Art Unit: 2814
)
Application No.: 09/688,989) Examiner: S. Rao
)
Filed: October 17, 2000)
)
For: SEMICONDUCTOR DEVICE AND)
METHOD OF MANUFACTURING)
THE SAME)

Commissioner for Patents
Washington, DC 20231

Sir:

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REQUEST FOR RECONSIDERATION

In reply to the Final Office Action of November 8, 2002, the period for reply to having been extended to April 8, 2003 by filing of a Request for Extension of Time and payment of appropriate fees, and prosecution on the merits having been reopened by a Request for Continued Examination filed concurrently herewith, Applicants respectfully request reconsideration of the subject application for the following reasons.

REMARKS

In the Final Office Action ("FOA"), the Examiner maintained the rejection of claims 27, 28, 30, and 32 under 35 U.S.C. § 112, first paragraph; maintained the rejection of claims 27, 28, and 30-33 under 35 U.S.C. § 112, second paragraph; and maintained the rejection of claims 27, 28, and 30-33 under 35 U.S.C. § 103(a) as unpatentable over Kume et al., U.S. Patent No.

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